

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

U.S. SECURITIES AND EXCHANGE
COMMISSION,

v.

Plaintiff,

JOHN J. BRAVATA, RICHARD J.
TRABULSY, ANTONIO BRAVATA,
BBC EQUITIES, LLC AND BRAVATA
FINANCIAL GROUP, LLC

Defendants,

and

SHARI A. BRAVATA,

Relief Defendant.

CIVIL ACTION NO.: 2:09-cv-12950-
DML-VMM

STATEMENT ON BEHALF OF BRAVATA DEFENDANTS
TO COMPLY WITH COURT'S ORDER DENYING MOTION FOR LEAVE
TO APPEAR AT HEARING TELEPHONICALLY

NOW COMES Gregory Bartko, Esq., of the Law Office of Gregory Bartko, LLC, and on behalf of the "Bravata Defendants," hereby files the following Statement on Behalf of Bravata Defendants to Comply with Court's Order Denying Motion for Leave to Appear at Hearing Telephonically [Doc. No. 151].

The Securities Regulation Law Firm
3475 Lenox Road, Suite 400 • Atlanta, GA 30326 • Phone (404) 238-0550 • Fax (866) 342-4092
Email: gbartko@securitieslawcounsel.com • www.securitieslawcounsel.com

1 Accordingly, the following is represent to the Court with respect to the
2
3 Emergency Motion.

4 1. The Bravata Defendants oppose the Receiver's request for a full,
5
6 unlimited release of medical records for the Insured for the privacy reasons set
7
8 forth in the Emergency Motion [Doc. No. 144]. The Bravata Defendants are of the
9
10 opinion that all medical records of the Insured up to the date of issue of the
11
12 Policy is appropriate and should be readily available to the Receiver.

13 2. The Bravata Defendants oppose relinquishing medical records of the
14
15 Insured to the Receiver since the issuance of the Policy as the Insured's records
16
17 are subject to privacy rights and are likely to be so voluminous that the raw
18
19 medical records of the Insured would not be useful for the Receiver to evaluate
20
21 the current medical condition of the Insured.

22 3. In lieu of producing the Insured's medical records, the Bravata
23
24 Defendants believe it will be far more useful if the Receiver requests and receives
25
26 a "medical report" or letter from the Insured's current primary physician. This
27
28 will enable the Receiver to quickly and accurately evaluate the issues
29
30 surrounding the Receiver's pending decision to retain the Policy as an asset of
31
32 the BBC estate or to permit the transfer of the Policy to the Bravata Defendants.

1 Dated this 23rd day of November, 2009.

2
3 Respectfully Submitted,

4
5 By: /s/ Gregory Bartko
6 **Law Office of Gregory Bartko, LLC**
7 Gregory Bartko, Esq.
8 Michigan Bar No. P30052
9 *Counsel for Bravata Defendants*
10 3475 Lenox Road, Suite 400
11 Atlanta, GA 30326
12 Telephone: (404) 238-0550
13 Facsimile: (866) 342-4092
14 gbartko@securitieslawcounsel.com

15
16
17
18
19
20
21
22
23
24
25
26
27 \

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

U.S. SECURITIES AND
EXCHANGE COMMISSION,

v.

Plaintiff,

JOHN J. BRAVATA, RICHARD J.
TRABULSY, ANTONIO BRAVATA,
BBC EQUITIES, LLC AND
BRAVATA FINANCIAL GROUP,
LLC

CIVIL ACTION NO.: 2:09-cv-12950-
DML-VMM

Defendants,

and

SHARI A. BRAVATA,

Relief Defendant.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
STATEMENT ON BEHALF OF BRAVATA DEFENDANTS TO COMPLY WITH
COURT'S ORDER DENYING MOTION FOR LEAVE TO APPEAR AT
HEARING TELEPHONICALLY was filed electronically this 23rd day of

The Securities Regulation Law Firm"
3475 Lenox Road, Suite 400 • Atlanta, GA 30326 • Phone (404) 238-0550 • Fax (866) 342-4092
Email: gbartko@securitieslawcounsel.com • www.securitieslawcounsel.com

1 November, 2009 with the Clerk of the Court using CM/ECF. I also certify that the
2
3 foregoing document is being served this day on all counsel of record and any *pro*
4
5 *se* parties identified on the attached Service List via e-mail and U.S. mail, either
6
7 via transmission of Notices of Electronic Filing generated by CM/ECF or via U.S.
8
9 mail to those parties that have formally appeared of record but are who are not
10
11 authorized to receive electronic Notices of Electronic Filing.

12
13
14 Respectfully Submitted,

15 By: /s/ Gregory Bartko
16 **Law Office of Gregory Bartko, LLC**
17 Gregory Bartko, Esq.
18 *Counsel for Bravata Defendants*
19 3475 Lenox Road, Suite 400
20 Atlanta, GA 30326
21 Telephone: (404) 238-0550
22
23
24
25
26
27
28
29
30